

07 CV 2762

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JUDGE BAER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	07 CV ____ ()
	:	
ALEXIS AMPUDIA,	:	
a/k/a ALEXIS GEANCARLOS AMPUDIA NAVALO,	:	
a/k/a ALEXIS EMIAS, a/k/a ALEXIS ROJAS,	:	
	:	
Defendant.	:	
	:	
	:	

**EMERGENCY EX PARTE APPLICATION FOR A TEMPORARY
RESTRAINING ORDER, ORDER TO SHOW CAUSE,
PRELIMINARY INJUNCTION, ASSET FREEZE AND OTHER RELIEF**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiff Securities and Exchange Commission (“Commission”) hereby applies to this Court for an order:

- (1) directing Defendant Alexis Ampudia, also known as Alexis Geancarlos Ampudia Naval, Alexis Emias and Alexis Rojas (“Ampudia” or the “Defendant”) to show cause why an order should not be entered, pending a final disposition of this action:

- (a) preliminarily enjoining the Defendant from violating Section 17(a) of the Securities Act of 1933 (“Securities Act”), 15 U.S.C. § 77q(a); Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. § 78j(b), and Exchange Act Rule 10b-5, 17 C.F.R. § 240.10b-5;
 - (b) freezing the Defendant’s assets;
 - (c) directing the Defendant to provide a verified accounting and to repatriate assets held outside the United States, if any;
 - (d) prohibiting the destruction, alteration or concealment of documents; and
 - (e) preliminarily enjoining the Defendant, and his agents, employees, attorneys, or other professionals, anyone acting in concert with them, and any third party from filing a bankruptcy proceeding on behalf of the Defendant without at least 3 days notice to the Plaintiff and approval of this Court;
- (2) pending adjudication of the foregoing, an Order:
- (a) temporarily restraining the Defendant from violating the aforementioned statutes and rule;
 - (b) freezing the Defendant’s assets;
 - (c) directing the Defendant to provide a verified accounting and to repatriate assets held outside the United States, if any;
 - (d) prohibiting the destruction, alteration and concealment of documents;
 - (e) providing that the Commission may take expedited discovery in preparation for a hearing on this Order to Show Cause; and

(f) temporarily enjoining the Defendant, and his agents, employees, attorneys, or other professionals, anyone acting in concert with them, and any third party from filing a bankruptcy proceeding on behalf of the Defendant without at least 3 days notice to the Plaintiff and approval of this Court.

The grounds supporting this application are fully set forth in the accompanying Memorandum of Law in Support of Plaintiff's Emergency *Ex Parte* Application for a Temporary Restraining Order, Order to Show Cause, Preliminary Injunction, Asset Freeze and Other Relief and the accompanying Declarations and Exhibits submitted in support thereof.

A proposed form of Order is filed herewith.

Dated: April 2, 2007
New York, New York

Respectfully submitted,



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